

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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LINCOLN COUNTY WATER
DISTRICT, a political subdivision of the
State of Nevada, and VIDLER WATER
COMPANY, INC., a Nevada corporation,

Plaintiffs,

v.

STATE OF NEVADA, DEPARTMENT OF
CONSERVATION AND NATURAL
RESOURCES, DIVISION OF WATER
RESOURCES, AND NEVADA STATE
ENGINEER, and ADAM SULLIVAN,
ACTING STATE ENGINEER,

Defendants.

Case No. 2:20-cv-01891-RFB-EJY

ORDER

Presently before the Court is the Notice Re: Order Granting in Part and Denying in Part Motion to Lift Stay (the "Notice") filed by Defendants (ECF No. 100). The Notice advises of a temporary stay entered by the Nevada Supreme Court regarding the order entered by the Eighth Judicial District Court in Case No. A-20-81676-C. The Notice also advises of a subpoena duces tecum served on the Las Vegas Valley Water District, the response to which is due September 20, 2022. Defendants do not state if or how the temporary stay impacts discovery, but a quick review of the Nevada Supreme Court's Order indicates it does not. Moreover, it appears that, as of this date, there is no objection to the subpoena and a response is expected to be provided.

A review of the transcript in this proceeding, which apparently led to the Notice, does not support the conclusion that the Court requires notice each time a subpoena is served in a related state court matter. To the extent there is any confusion regarding such a requirement, the Court makes clear that notice is not required to be given to the Court each time discovery events occurs in a state court matter that may implicate rights and issues asserted in the case at bar.

Further, the Court does not know whether any of the documents that may be produced by the Las Vegas Valley Water District in response to the subpoena will be marked confidential or

1 otherwise restricted from distribution to Plaintiffs in this action. As was stated during the August
2 24, 2022 hearing, the parties are to work together to designate, if possible, the discovery upon which
3 they can agree. Whether the production of the documents produced by the Las Vegas Water District
4 are among those the parties agree should and can be produced to Plaintiffs is left, in the first instance,
5 to the parties. The Court need not be involved unless the parties cannot agree on discovery.

6 Dated this 7th day of September, 2022

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9 ELAYNA J. YOUCHAH
UNITED STATES MAGISTRATE JUDGE